

SUMMARY ANALYSIS OF AMENDED BILL

Franchise Tax Board

Author: Polanco Analyst: Roger Lackey Bill Number: SB 843

Related Bills: See Prior Analysis Telephone: 845-3627 Amended Date: 06-19-2000

Attorney: Patrick Kusiak Sponsor:

SUBJECT: Information Technology Agency

DEPARTMENT AMENDMENTS ACCEPTED. Amendments reflect suggestions of previous analysis of bill as introduced/amended _____.

AMENDMENTS IMPACT REVENUE. A new revenue estimate is provided.

AMENDMENTS DID NOT RESOLVE THE DEPARTMENT'S CONCERNS stated in the previous analysis of bill as amended January 10, 2000.

FURTHER AMENDMENTS NECESSARY.

DEPARTMENT POSITION CHANGED TO _____.

REMAINDER OF PREVIOUS ANALYSIS OF BILL AS AMENDED January 10, 2000, STILL APPLIES.

OTHER - See comments below.

SUMMARY OF BILL

This bill would establish specific policies and practices to enable state agencies to improve upon the use of information technology (IT). This bill also would extend the authority of the Secretary of Information Technology.

This analysis will address the bill only as it impacts the department's programs and operations.

SUMMARY OF AMENDMENTS

The June 19, 2000, amendments added language that would require the head of each state agency to actively seek constructive input from the state's IT workforce in assessing workforce training needs and establishing goals for improving efficiencies and effectiveness in the delivery of services to the public. The June 19 amendments also made a number of minor changes that would not impact the department.

The May 30, 2000, amendments deleted the language that would have added the Information Technology Management Act of 1999 and instead added the same provisions, to the extent they impact the department, to new and existing sections of the Government Code.

The May 30, 2000, amendments also would rename the Department of Information Technology (DOIT) as the Information Technology Agency and would rename the director of DOIT as the Secretary of Information Technology and the state chief information officer.

The May 30, 2000, amendments made other minor and technical changes that would not impact the department.

Board Position:

<u> </u> S	<u> </u> NA	<u> </u> NP
<u> </u> SA	<u> </u> O	<u> </u> NAR
<u> </u> N	<u> </u> OUA	<u> X </u> PENDING

Legislative Director

Date

Johnnie Lou Rosas

6/22/00

Except for the discussion in this analysis, the analysis of the bill as amended January 10, 2000, still applies, including the department's policy and implementation concerns, which are repeated below.

Policy Considerations

This bill would expand upon the existing authority of the director of the Department of Information Technology (DOIT), renamed by this bill as the Secretary of Information Technology (Secretary). Currently the director has the authority to initiate, suspend, or terminate an IT project.

This bill would expand that authority to permit the Secretary to take action independent of the head of a state agency or the governing board of a state agency for IT resource management and for investments made relating to IT. This expanded authority would result because the Secretary would have the authority to take any authorized action he or she considers appropriate to enforce accountability by the head of a state agency, including an action involving the budgetary process or the appropriations management process.

Currently, state agencies seeking budget augmentation or appropriations must have approval of the state agency, the Department of Finance, the Legislature, and the Governor to obtain the requested funds. Moreover, for the Franchise Tax Board, these decisions also must be made by the three-member Board. It is unclear from this bill how the authority of the Secretary would be exercised in connection with the current budget appropriation and augmentation processes, in addition to the authority of the three-member Franchise Tax Board concerning budgetary matters.

Implementation Considerations

To the extent that this bill mirrors current law relating to the duties and responsibilities of the Secretary of Information Technology and state agencies concerning IT, this bill would not significantly impact the department. However, to the extent that the Secretary's authority is expanded to take any authorized action that he or she feels appropriate, the impact to the department is unclear.

BOARD POSITION

Pending.